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September 22, 2021

BY CM/ECF

The Honorable Margo K. Brodie
United States District Judge
U.S. District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

The Honorable Robert M. Levy
United States Magistrate Judge
U.S. District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Lematta v. Casper Sleep, Inc., No. 1:20-cv-02744-MKB-RML

Dear Judge Brodie and Magistrate Judge Levy:

We submit this letter, together with counsel from Willkie Farr & Gallagher LLP, on behalf of all Defendants¹ in the above-referenced action to provide courtesy copies of the motion papers filed in support of Defendants' Motion to Dismiss this action.

Pursuant to the Court's July 2, 2021 Scheduling Order, Defendants served their Motion to Dismiss on Plaintiff on July 30, 2021, Plaintiff served his opposition papers on August 30, 2021, and Defendants served their reply papers on September 21,

¹ Defendants include Casper Sleep Inc., Philip Krim, Gregory Macfarlane, Neil Parikh, Diane Irvine, Anthony Florence, Jack Lazar, Benjamin Lerer, Karen Katz, and Dani Reiss, as well as Morgan Stanley & Co. LLC, Goldman Sachs & Co., LLC, Jefferies LLC, BofA Securities, Inc., UBS Securities LLC, Citigroup Global Markets Inc., Piper Sandler & Co., and Guggenheim Securities, LLC (collectively, the "Defendants").

2021. The motion has now been fully briefed, and, in accordance with Judge Brodie's Individual Practices and Rules 1.D and 3.D, Defendants enclose courtesy copies of the following papers:

1. Notice of Defendants' Motion to Dismiss (ECF 33);
2. Defendants' Memorandum of Law in Support of Defendants' Motion to Dismiss (ECF 33-1);
3. Declaration of Audra J. Soloway in Support of Defendants' Motion to Dismiss, and accompanying Exhibits 1 through 11 (ECF 33-2, 33-3, 33-4, 33-5, 33-6, 33-7, 33-8, 33-9, 33-10, 33-11, 33-12, 33-13);
4. Plaintiff's Opposition to Defendants' Motion to Dismiss (ECF 32);
5. Defendants' Reply in Support of Defendants' Motion to Dismiss (ECF 33-14);
6. Defendants' Certificate of Service (ECF 33-15); and
7. A copy of the Second Amended Complaint, filed June 30, 2021 (ECF 29).

Respectfully submitted,

/s/Audra J. Soloway
Audra J. Soloway

cc: All Counsel (via CM/ECF)